

BARRY J. PORTMAN
Federal Public Defender
JEROME E. MATTHEWS
Assistant Federal Public Defender
555 - 12th Street
Suite 650
Oakland, CA 94607-3627
Telephone: (510) 637-3500



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RICHARD W. VIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Counsel for Defendant ROBERT G. GARDNER

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-05 00592 MJJ
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	CONTINUING HEARING DATE
vs.)	
)	
ROBERT G. GARDNER,)	
)	
Defendant.)	

This matter is scheduled for a status conference on November 18, 2005 at 2:30 p.m. The underlying indictment charges Mr. Gardner with three counts of tax evasion.

The government has produced over 500 pages of discovery to date. Defense counsel has completed its review of some, but not all, of these materials, and will be requesting further discovery as well. Defense counsel also needs to undertake and complete numerous witness interviews. In light of the foregoing, IT IS STIPULATED AND AGREED that the status conference presently scheduled for November 18, 2005 be continued to December 16, 2005. IT IS FURTHER AGREED that the period from November 18, 2005 until December 16, 2005 be excluded under the Speedy Trial Act on the grounds of defense preparation and investigation, and because the interests of justice outweigh the interest of the public and the defendant in a

1 speedy trial. 18 U.S.C. § 3161(h)(8)(A) and (B)(iv). Defense counsel represents that Mr.
2 Gardner concurs with the request for exclusion of time under the Speedy Trial Act.
3

4 /S/

5 Dated: November 17, 2005

6 JEROME MATTHEWS
Assistant Federal Public Defender

7 /S/

8 Dated: November 17, 2005

9 THOMAS MOORE
Assistant United States Attorney

10 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
11 "conformed" signature (/S/) within this e-filed document.

12 Good cause appearing therefor, IT IS ORDERED that this matter be continued to
13 December 16, 2005, and that time under the Speedy Trial Act be excluded, all on the grounds
14 stated in the foregoing stipulation.
15

16 Dated: November 17, 2005

17 Martin J. Jenkins
18 MARTIN J. JENKINS
United States District Judge
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